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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christopher B. Weare, Marc Daskalovic

Confirmation No.: Not yet assigned

Application No.: Not yet assigned

Group Art Unit: Not yet assigned

Filing Date: September 22, 2003

Examiner: Not yet assigned

**For: System and Methods for Providing Automatic Classification of Media Entities
According to Tempo**

EXPRESS MAIL LABEL NO: EL997978437US

DATE OF DEPOSIT: September 22, 2003

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.
- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:


- ☒ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. 09/905,345, filed July 13, 2001.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ There are no listed references which are not in the English language.

Date: September 22, 2003



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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office				Docket No. MSFT-2836/167510.3		Serial No. Not yet assigned	
				Applicant Christopher B. Weare et al.			
				Filing Date September 22, 2003		Group	
U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	AA	5,895,876	04/20/99	Moriyama et al.	609		
	AB	5,918,223	06/29/99	Blum et al.	707		
	AC	6,175,072	01/16/01	Aoki	636		
	AD	6,201,176	03/13/01	Yourlo	609		
	AE	6,323,412	11/27/01	Loo	636		
	AF	6,376,758	04/23/02	Yamada et al.	612		
	AG	6,441,291	08/27/02	Hasegawa et al.	609		
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Country	Translation YES NO		
EXAMINER				DATE CONSIDERED			

Form PTO-1449 Modified		Docket No. MSFT-0583/167510.2	Serial No. 09/905,345
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Christopher B. Weare et al.	
		Filing Date July 13, 2001	Group 2151
U.S. Department of Commerce Patent and Trademark Office			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	AH	Chen, A.L.P. et al., "Query by music segments: an Efficient Approach for Song Retrieval," <i>Proceedings of International Conference on Multimedia and Expo.</i> , New York, NY, July 30-August 2, 2000 , 2, 873-876	
	AI	Chen, J.C.C. et al., "Query by Rhythm: an Approach for Song Retrieval," <i>Proceedings Eighth International Workshop on Research Issues in Data Engineering. Continuous-Media Databases and Applications</i> , Orlando, Florida, February 23-24, 1998 , 139-146	
	AJ	Davies, S.C. et al., "An Adaptive Technique for Automated Recognition of Musical Tones," <i>Conference Record of the Thirtieth Asilomar Conference on Signals, Systems, and Computers</i> , Pacific Grove, California, November 3-6, 1996 , 2, 1138-1141	
	AK	Francu, C. et al., "Distance Metrics and Indexing Strategies for a Digital Library of Popular Music," <i>Proceedings of International Conference on Multimedia and Expo.</i> , New York, NY, July 30-August 2, 2000 , 2, 889-892	
	AL	Goldberg, I. et al., "The Ninja Jukebox," <i>2nd USENIX Symposium on Internet Technologies and Systems</i> , Boulder, Colorado, October 11-14, 1999 , 37-46	
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	AO	McNab, R.J. et al., "Towards the Digital Music Library: Tune Retrieval from Acoustic Input," <i>Proceedings of the 1st ACM International Conference on Digital Libraries</i> , Bethesda, Maryland, March, 1996 , 11-18	
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	AQ	McNab, R.J. et al., "The New Zealand Digital Library MELody inDEX," <i>D-Lib Magazine</i> , 1997 , http://www.dlib.org/dlib/may97/meldex/05witten.html , 8 pages	
	AR	Ozimek, E. et al., "Thresholds of Perception of Irregular Signal Frequency Changes," <i>Archives of Acoustics</i> , 1985 , 10(2), 123-141	
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		Filing Date July 13, 2001	Group 2151
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	AS	Rabson, G. et al., "The National Tune Index: a Systems Overview," <i>Computers and the Humanities</i> , 1981 , 15(3), 129-137	
	AT	Schludermann, B., "Quantity versus quality. II. Setting up a database for a quantitative analysis of German/Dutch language mixtures in late medieval song MSs," <i>Proceedings of the 5th International Conference and Exhibition on Multi-Lingual Computing</i> , Cambridge, UK, April 11-13, 1996 , 7/6/1-11	
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	AV	Spyridis, H. et al., "Fourier Analysis and Information Theory on a Musical Composition," <i>Acustica</i> , 1983 , 52(4), 255-262	
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	AX	Umemoto, T. et al., "Construction of Transcription System and Comparison of Peak Extraction Methods," <i>Trans. Of the Soc. Of Instrument and Control Engineers</i> , 1993 , 29(10), 1227-1231 (English language abstract included)	
	AY	Yang, C.Y. et al., "Korean Folk Song Retrieval Using Rhythm Pattern Classification," <i>Proceedings of Fifth International Symposium on Signal Processing and its Applications</i> , Brisbane, Australia, August 22-25, 1999 , 1, 123-126	
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